

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                           **8:11CR251**  
                                )  
vs.                         )                           **ORDER**  
                                )  
DONALD WILLIAM MILLER, JR., )  
                                )  
Defendant.                 )

This matter is before the court on the motion of Assistant Federal Public Defender Michael F. Maloney and the Office of the Federal Public Defender to withdraw as counsel for the defendant, Donald William Miller, Jr. (Miller) (Filing No. 35). Mr. Maloney represents that the Office of the Federal Public Defender has a conflict of interest in this matter. Mr. Maloney's and the Office of the Federal Public Defender's motion to withdraw (Filing No. 35) is granted.

Beau G. Finley, 209 South 19th Street, #500, Omaha, NE 68102, (402) 345-1153, is appointed to represent Miller for the balance of these proceedings pursuant to the Criminal Justice Act. Mr. Maloney shall forthwith provide Mr. Finley with the discovery materials provided the defendant by the government and such other materials obtained by Mr. Maloney which are material to Miller's defense.

The clerk shall provide a copy of this order to Mr. Finley, and he shall file his appearance forthwith.

**IT IS SO ORDERED.**

DATED this 15th day of September, 2011.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge